

June 1, 2020

West Des Moines City Council Proceedings  
Monday, June 1, 2020

Due to the State Public Health Emergency Declaration regarding COVID-19, this meeting was conducted electronically pursuant to Iowa Code 21.8 and the Proclamation of Governor Kim Reynolds dated March 19, 2020.

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, via teleconference on Monday, June 1, 2020 at 5:30 PM. Council members present via teleconference were: R. Hardman, G. Hudson, M. McKinney, K. Trevillyan, and R. Trimble.

On Item 1. Agenda. It was moved by Trimble, second by Hardman approve the agenda as presented.

Vote 20-188: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 2. Public Forum

Sue Jensen, 2625 Vine Street, Apt. D409, expressed concerns about the current mosquito problem, and she requested that the City research effective options for mosquito spraying.

Jan Fleming, 1800 Grand Avenue, #259, expressed concerns about the current mosquito problem, and she requested that the City consider applying mosquito larvae repellent to standing water, which had been mentioned when this issue was discussed last summer.

Bret Hodne, Public Services Director, responded the City has started applying larvicide treatment to standing water around the City.

On Item 3. Council/Manager/Other Entities Reports:

City Manager Tom Hadden reported, in response to the tragic death of George Floyd in Minneapolis, the City and Police Department are reviewing their trainings, policies, and recruitment practices. He noted this is a high priority for the City, as it strives to become a diverse and inclusive city and ensure all staff are equipped to provide the best quality service to all citizens.

Council member Hardman expressed condolences regarding the death of Mr. Floyd. She also expressed appreciation to City Manager Hadden for the City's efforts in promoting inclusiveness, to Mayor Gaer for the statement he released on Friday regarding the death of Mr. Floyd, and to the Human Rights Commission for their desire to take action on these issues. She noted there are plans for a joint workshop to be held in the near future between the City Council

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and Human Rights Commission to discuss the City's role in addressing these issues. She stated it is her desire to continue creating a community for all to feel welcome. She also expressed appreciation to the City staff that have worked to address a particularly challenging nuisance issue in the city.

Council member McKinney expressed condolences regarding the death of Mr. Floyd, and he also expressed appreciation to Council member Hardman for the powerful comments she made at a recent candlelight vigil for Mr. Floyd. He also expressed appreciation to West Des Moines Police Officers that were called in to respond to protect life and property while some of the demonstrations turned violent.

Council member Trevillyan stated he agrees with the previous comments. He expressed his desire that any demonstrations that may occur in West Des Moines would remain peaceful, and he stated his thoughts are with the West Des Moines Police Officers who are responsible for protecting our community.

Council member Hudson stated he believes the historical events unfolding will be remembered for a long time, and he expressed condolences regarding the death of Mr. Floyd. He stated he is proud of the City's efforts in training its employees on diversity and inclusion, and he expressed support for the City continuing to work together to fight racism.

Council member Trimble expressed appreciation to Mayor Gaer for the statement he released on Friday regarding the death of Mr. Floyd and to Council member Hardman for the perspective she brings to the City Council. He also expressed condolences regarding the tragic death of Mr. Floyd, and he stated what happened that day should never happen in our country. He also stated the actions of a few bad police officers should not be applied to the characteristics of all police officers; however, he noted the disproportionate amount of police violence against African Americans makes it clear there is a systemic problem that needs to be addressed right now. He stated he is proud of the City's efforts in training its employees on diversity and inclusion, and he expressed a desire for the City to increase its efforts in recruiting a diverse workforce. He also stated the City is committed to combating racism and discrimination of any kind. He reported he attended a meeting of the Parks and Recreation Advisory Board, where discussion was held on a the potential construction of an indoor practice facility for West Des Moines Girls Softball in Holiday Park, a proposed fee schedule for the Jamie Hurd Amphitheater, the opening of the Raccoon River Park Boathouse, and several park improvement projects.

On Item 4. Consent Agenda.

It was moved by Trevillyan, second by Trimble to approve the consent agenda as presented.

- a. Approval of Minutes of May 18, 2020 Meeting
- b. Approval of Bill Lists

- c. Approval of Liquor Licenses:
  - 1. On The Rise West Des Moines, LLC d/b/a Blaze Pizza, 6305 Mills Civic Parkway, Suite 4100 - Class BW Permit with Sunday Sales - Renewal
  - 2. Fordad, Inc., d/b/a Cattoor's on Grand, 1306 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  - 3. Wesley Retirement Services, Inc. d/b/a Edgewater, A Wesley Active Life Community, 9225 Cascade Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Services - Renewal
  - 4. OSI/Fleming's, LLC, d/b/a Fleming's Prime Steakhouse & Wine Bar, 150 South Jordan Creek Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
  - 5. Maxie's Enterprises, LLC d/b/a Maxie's Restaurant & Lounge, 1311 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
  - 6. Pool IV TRS, LLC d/b/a Sheraton West Des Moines, 1800 50th Street - Class LB Liquor License with Carryout Wine, Sunday Sales, Outdoor Service and Catering Privileges - Renewal
  - 7. Mega St. Kilda, LLC d/b/a St. Kilda Collective, 333 5<sup>th</sup> Street - Class LC Liquor License with Sunday Sales - New
  - 8. Whole Foods Market Group, Inc. d/b/a Whole Foods Market, 4100 University Avenue - Class LE Liquor License with Carryout Beer, Carryout Wine, and Sunday Sales - Renewal
- d. Approval to Sell Surplus City Equipment
- e. Approval of Contract for Office Furniture - Library Interior Renovations
- f. Approval of Amendment No. 1 to Professional Services Agreement – Parks Restrooms/Shelters Miscellaneous Repairs, Phase 2
- g. Approval of 28E Agreements:
  - 1. Amended 28E Agreement with Madison County - Joint Maintenance of Corporate Line Roads and Rights-of-Way
  - 2. Substituted and Restated 28E Agreement - Polk County Emergency Management
- h. Accept Work - 2018 Stormwater Intake Repair Program
- i. Establish Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property - Ashworth Road Reconstruction
- j. Establish Consultation Meeting and Public Hearing - Economic Development Digital Enterprise Urban Renewal Area

Vote 20-189: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 5 - Old Business: no items

On Item 6(a) Banks Landing, northwest corner of 88th Street and Booneville Road - Amend the Comprehensive Plan Land Use Map to Change approx. 12.47 acres of Neighborhood Commercial to Single Family and Medium Density Residential Land Use and Amend the

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Tallyn's Reach Planned Unit Development (PUD) to Change Parcel I from Neighborhood Commercial to Parcel J (Residential Single Family) and Parcel G (Medium Density Residential) and Establish Regulations to Accommodate Development of 52 Rowhouses and 21 Single Family Homes, initiated by Clark Family Investors (Continued from May 18, 2020)

It was moved by Trimble, second by Trevillyan to Continue Public Hearing to June 15, 2020.

Vote 20-190: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(a) Della Vita Townhomes - Plat 2, northwest corner of EP True Parkway and 88th Street - Approval of Site Plan to Construct 36 Townhome Units, initiated by Della Vita, LLC

It was moved by Trimble, second by McKinney to adopt Resolution - Approval of Site Plan, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 20-191: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(b) Lots 3 and 4 All State Industrial, 1690 and 1730 All State Court - Approval of a Phased Site Plan to Allow Grading of the Site and Installation of Underground Private Utilities, initiated by Next Phase Development

It was moved by Trevillyan, second by Trimble to adopt Resolution - Approval of Phased Site Plan, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 20-192: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(c) Lot 5 Cedar Ridge, 9189 Mills Civic Parkway - Create One Parcel for Transfer of Ownership Between Two Existing Lots, initiated by Todd Herren

It was moved by Trevillyan, second by Trimble to adopt Resolution - Approval and Release of Plat of Survey.

Vote 20-193: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(d) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 3 (Four-Way Stop Intersections) - SW Grand Prairie Parkway and Veterans Parkway, initiated by the City of West Des Moines

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It was moved by Trimble, second by Trevillyan to consider the first reading of the ordinance.

Vote 20-194: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Trevillyan to approve the first reading of the ordinance.

Vote 20-195: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(e) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - Scenic Valley Drive, Grand Avenue to 360 feet north of Grand Avenue (west side), initiated by the City of West Des Moines

It was moved by McKinney, second by Hudson to consider the first reading of the ordinance.

Vote 20-196: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by McKinney, second by Hudson to approve the first reading of the ordinance.

Vote 20-197: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 7(f) Amendment to City Code - Title 6 (Motor Vehicles and Traffic), Chapter 9 (Traffic Schedules), Section 5 (No Parking Zones) - 84th Street, EP True Parkway to Ashworth Road (west side) and 84th Street, Aspen Drive to 290 feet south of Ashworth Road (east side), initiated by the City of West Des Moines

It was moved by Trevillyan, second by Hudson to consider the first reading of the ordinance.

Council member Hudson stated he has spoken with several of the residents from this area who have all expressed support for allowing parking on this street.

Vote 20-198: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

The City Clerk read the preamble to the ordinance.

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It was moved by Trevillyan, second by Hudson to approve the first reading of the ordinance.

Vote 20-199: Hardman, Hudson, McKinney, Trevillyan, Trimble...5 yes  
Motion carried.

On Item 8 - Receive, File and/or Refer: no items

On Item 9 - Other Matters: none

The meeting was adjourned at 6:14 p.m.

Respectfully submitted,

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Ryan T. Jacobson, CMC  
City Clerk

ATTEST:

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Steven K. Gaer, Mayor